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Attorneys for Defendant
Michael L. Black, Jr.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL L. BLACK, JR.,

Defendant.

Case No.: CR06-00701 CW

STIPULATION RE CONTINUING DATE
OF JUDGMENT AND SENTENCING
AND ORDER

Defendant Michael L. Black, Jr., by and through his counsel, Patrick D. Robbins;
and the United States, by and through its attorney, Garth Hire, Assistant United States Attorney,
hereby stipulate and agree as follows:

1. Defendant pled guilty to one count in violation of 21 U.S.C. § 841(a)(1).

He is scheduled to be sentenced by the Court on April 9, 2007;

2. To facilitate defendant's eligibility for participation in the Bureau of
Prisons' Residential Drug Abuse Program, he desires to attempt to resolve certain pending charges
in Contra Costa County Superior Court (docket # 02-289828-6) (which were discovered as a result
of U.S. Probation's pre-sentence investigation) prior to judgment and sentencing in this matter.

2. The parties and U.S. Probation also discovered, as part of U.S. Probation's
pre-sentence investigation, that a California Department of Corrections-administered IQ test rated

1 Mr. Black's IQ at 60. The defense intends to seek a psychiatric evaluation of the defendant prior
2 to judgment and sentencing, and to seek to include the information derived from that evaluation in
3 the final Presentence Report presented to the Court at the time of sentencing.

4 3. Accordingly, the parties stipulate and respectfully request that the Court
5 order that the judgment and sentence set for April 9, 2007 at 2:00 p.m. be continued until June 13,
6 2007 at 2:00 p.m., in order to provide the defense with adequate time to address the two matters
7 described above. The U.S. Probation Officer assigned to this matter has been advised of and
8 agrees to this date.

9 IT IS SO STIPULATED.

10 Dated: March __, 2007

Respectfully submitted,

11 SHEARMAN & STERLING LLP

12
13 By: _____
14 Patrick D. Robbins
15 Attorneys for Defendant
16 Michael L. Black, Jr.

17 Dated: March __, 2007

Respectfully submitted,

18 By: _____
19 Garth Hire
20 Assistant United States Attorney

ORDER

21 FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED that the judgment and
22 sentence set for April 9, 2007, is continued until June 13, 2007 at 2:00 p.m.

23 IT IS SO ORDERED.

24
25 Dated: March 28, 2007

26 
27 _____
28 THE HONORABLE CLAUDIA WILKEN
United States District Court Judge